

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JASKARAN SINGH,

Petitioner,

v.

IMMIGRATION AND CUSTOMS  
ENFORCEMENT FIELD OFFICE  
DIRECTOR,

Respondent.

Case No. 2:25-cv-00504-RAJ-TLF

ORDER ADDING PROPER  
RESPONDENT, AND FOR  
RETURN AND STATUS REPORT,  
28 U.S.C § 2241 PETITION

Petitioner Jaskaran Singh filed a 28 U.S.C. § 2241 immigration habeas petition and has paid the required filing fee. Dkt. 4. Having reviewed the petition, the Court ORDERS the following:

(1) Proper Respondent

Petitioner has only named Immigration and Customs Enforcement (“ICE”) Field Office Director as the respondent for this action. However, the proper respondent for § 2241 petitions is “the person who has custody over [the petitioner],” not simply the agency employing that individual. *See Rumsfeld v. Padilla*, 542 U.S. 426, 434–35 (2004) (citing 28 U.S.C. §§ 2242, 2243); *Doe v. Garland*, 109 F.4th 1188, 1197 (9th Cir. 2024) (reversing grant of federal habeas relief where the immigration detainee’s direct custodian was not named as respondent). Petitioner represents that he is currently

1 detained at the Northwest ICE Processing Center, so the proper respondent for this  
2 action is the individual in charge of that facility.

3 Accordingly, the Clerk of Court is directed to **ADD** the Facility Administrator of the  
4 Northwest ICE Processing Center as a respondent in this action.

5 (2) Service

6 If not previously accomplished, electronic posting of this Order and petitioner's §  
7 2241 habeas petition shall effect service upon the United States Attorney of the petition  
8 and all supporting documents. Service upon the United States Attorney is deemed to be  
9 service upon the respondents.

10 (3) Return

11 Within 30 days of the date this Order is posted, respondents shall show cause  
12 why a writ of habeas corpus should not be granted by filing a return and status report as  
13 provided in 28 U.S.C. § 2243. As a part of such return, respondents shall submit a  
14 memorandum of authorities in support of their position and should state whether an  
15 evidentiary hearing is necessary.

16 Respondents shall file the return with the Clerk of the Court and shall serve a  
17 copy upon petitioner. The return will be treated in accordance with LCR 7. Accordingly,  
18 on the face of the return, respondents shall note it for consideration on the first business  
19 day occurring 28 days after it is filed, and the Clerk shall note the return accordingly.  
20 Petitioner may file and serve a response not later than 21 days after the return is filed  
21 and served, and respondents may file and serve a reply brief not later than the business  
22 day designated for consideration of the matter.

23 (4) Change in Custody Status

1 If petitioner's custody status changes at any point during this litigation,  
2 respondents shall file a status update with the Court as soon as possible and no later  
3 than 14 days after the change.

4 Finally, the Clerk's Office is DIRECTED to send copies of this Order to petitioner  
5 and to the Honorable Richard A. Jones.

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7 Dated this 1st day of May, 2025.  
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11 Theresa L. Fricke  
12 United States Magistrate Judge  
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